**THE HON'BLE SMT. JUSTICE T. MEENA KUMARI**
**AND**
**THE HON'BLE SRI JUSTICE G. CHANDRAIAH**

**WRIT PETITION No.8239 of 2007**

**Date 3-7-2007**

**Between:**
**The Agricultural Market Committee, Bhimavaram,**
**West Godavari District**

**……PETITIONERS**

**AND**

**T. Venkateswara Rao & others.**

**……..RESPONDENT**

**THE HON'BLE SMT. JUSTICE T. MEENA KUMARI**
**AND**
**THE HON'BLE SRI JUSTICE G. CHANDRAIAH**

**WRIT PETITION No.8746 of 2007**

ORDER: (per Smt. T. Meena Kumari,J)

In this writ petition, the petitioner seeks for a Writ of Certiorari to call for the records relating to the order of the A.P. Administrative Tribunal, Hyderabad, made in O.A. Nos. 4985 of 2005 and 3047 of 2006, dated 19.1.2007.

The 1st respondent herein was working as Junior Market Supervisor in Agricultural Market Committee, Palakol of West Godavari District. While so, he was served with a charge memo No. 141/2002, dated 16.8.2002 on the ground that he has committed certain irregularities. The respondent submitted his explanation of the said notice on 2.9.2002. Thereafter, an enquiry officer was appointed to conduct enquiry into the matter and basing on the report submitted by the enquiry officer, the department issued a show cause notice to the respondent on 7.7.2005 calling upon him to submit his explanation. Thereafter, through proceedings dated 15.5.2006, the 1st petitioner dismissed the respondent from service. Assailing the same, respondent filed the above O.As. before the Tribunal. The Tribunal, by the order impugned in this writ petition, while setting aside the orders of impugned in the O.As., dated 7.7.2005 and 15.5.2006, remanded the matter to the disciplinary authority to proceed in accordance with law. However, pending further proceedings by the Department, it directed the department to re-induct the respondent into service and pay the arrears within a period of one month from the date of receipt of a copy of that order.

In view of the fact that the department has not given ample

opportunity to the respondent to submit his explanation in respect of the findings of Enquiry Officer before issuing the show cause notice dated 7.7.2005 and the final order of dismissal dt. 15.5.2006, the Tribunal was justified in setting aside those orders and in remanding the matter to the disciplinary authority to pass fresh orders in the matter.

In the circumstances, we do not find any illegality or irregularity in the order of the Tribunal warranting interference.

However, the disciplinary authority is directed to conclude the disciplinary proceedings initiated against the respondent, as expeditiously as possible, preferably, within a period of three months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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T. MEENA KUMARI,J

DATE: 3rd July, 2007

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G. CHANDRAIAH,J

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